



## POLICY BRIEF

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# The Law on HIV/AIDS Prevention and Control: Health Care Providers

The HIV/AIDS law (passed June 29, 2006, effective January 1, 2007) and implementing Decree 108 (issued June 26, 2007) provide a strong foundation for *human rights- and evidence-based HIV/AIDS policies and programs* in Vietnam, in terms of prevention, care and treatment, support for people living with HIV/AIDS (PLHA) and their families, and ending HIV/AIDS-related stigma and discrimination.

*This brief is designed to provide those who are responsible for providing care and treatment for people living with HIV/AIDS with a summary of key provisions, rights, and responsibilities under the HIV/AIDS law and implementing Decree No. 108/2007/ND-CP.*

### HIV Testing

- **Pre- and post-test** counseling shall be provided for all HIV testing;
- **Free voluntary HIV testing** shall be provided for pregnant women;
- **Mandatory HIV testing** is not permitted except in certain cases, such as by court order or a condition of employment for airline crews and “special occupations in the security and defense domains”;
- **All HIV testing** must be confidential with notification of results limited to the tested person, his/her spouse or fiancée, parent or guardian (only for minors), counseling staff, care providers, and staff of custodial facilities (05/06 centers, prisons); and
- **Only HIV-testing** establishments which have been recognized by MOH shall carry out HIV confirmatory testing.

### HIV Care and Treatment

- **Treatment of opportunistic infections (OI)** and antiretroviral (ARV) treatment is to be provided for people who cannot afford to pay -- *refusing to provide treatment to an HIV+ person is prohibited*;
- **Free treatment prevention of mother-to-child-transmission (PMTCT)**, is to be provided to pregnant women and substitute milk to be provided to under-six-month babies born to HIV-infected mothers;
- **Free HIV treatment** to be provided to those who experience exposure in clinical settings and occupational situations, children under 6 years old, others who are in “difficult circumstances” and/or cannot afford to pay; priority may also be given to children 6-16 years old and PLHA actively involved in HIV prevention activities; and
- **Health insurance:** health examination and treatment are to be provided for people living with HIV/AIDS who are health insurance participants.

For more information: Health Policy Initiative Vietnam

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